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Attorney for Defendant MICHAEL KAIL

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL KAIL,

Defendant.

Case No. 18 CR 172 BLF [NC]

**DEFENDANT'S APPLICATION FOR  
ORDER PERMITTING MODIFICATION  
OF RELEASE CONDITIONS; ~~Proposed~~  
Order**

I, Julia Jayne, declare:

1. I represented Defendant Michael Kail in the above-entitled matter. He is currently released on a \$200,000 secured bond with travel restricted to the Northern District of California. Mr. Kail remains released on bond pending the outcome of his appeal to the Ninth Circuit. The purpose of this application is to request that Mr. Kail be allowed to travel to Barcelona, Spain for a work conference on approximately November 2 – November 8, 2024. In his full-time role as CTO, he has been asked to speak at VMware's Explore conference in Barcelona. His family would remain in the Bay Area.
2. Assistant United States Attorney Colin Sampson does not object to this request.
3. United States Pretrial Officer Brad Wilson has been provided with Mr. Kail's travel request, and Officer Wilson does not object to this request. Mr. Wilson is in possession of Mr.

Case No. CR-18-0172 BLF [NC]

APPLICATION AND ~~PROPOSED~~ ORDER

1 Kail's passport and therefore, it is requested that he release it to Mr. Kail immediately for the  
2 purposes of renewal and then again, in advance of the travel dates. Mr. Kail would then re-  
3 surrender the passport to Mr. Wilson within 48 hours of his return.

4 4. Based on the foregoing, I respectfully request that the conditions of Mr. Kail's release be  
5 modified so that he may be permitted to travel to and from Barcelona, Spain from November 2 - 8,  
6 2024. All other conditions of Mr. Kail's release shall remain the same.

7 I declare under penalty of perjury under the laws of the United States that the foregoing is  
8 true and correct.

9  
10 DATED: October 17, 2024

\_\_\_\_\_  
/s/  
JULIA JAYNE  
Attorney for Michael Kail


11  
12  
13 **[~~PROPOSED~~] ORDER**

14  
15 Based on the foregoing, and good cause appearing:

16 **IT IS HEREBY ORDERED** that the conditions of Defendant Michael Kail's release shall  
17 be modified as follows:

18 Mr. Kail is permitted to travel to and from Barcelona, Spain from November 2 - 8, 2024.  
19 Pretrial Officer Bradley Wilson may release Mr. Kail's passport to him immediately for the  
20 purpose of passport renewal and then again, prior to travel. Within 48 hours of his return, Mr. Kail  
21 must re-surrender his passport to Mr. Wilson. All other terms and conditions of Mr. Kail's release  
22 shall remain the same.

23  
24 DATED: October 17, 2024

  
~~HONORABLE MAG. NATHANAEL COUSINS~~  
United States Magistrate Court Judge  
VIRGINIA K. DEMARCHI